

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P3051/PCT W/HU	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/013826	International filing date (<i>day/month/year</i>) 06.12.2004	Priority date (<i>day/month/year</i>) 11.12.2003	
International Patent Classification (IPC) or national classification and IPC B21D22/02 B21D22/22 B23P15/00			
Applicant FEINTOOL INTERNATIONAL HOLDING AG			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>6</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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International application No.
PCT/EP2004/013826

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

 - international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished
 the description:
 pages 3–9 as originally filed/furnished 26.10.2005 with letter
 pages* 1, 2, 2a received by this Authority on of 26.10.2005
 pages* _____ received by this Authority on _____
 the claims:
 nos. _____ as originally filed/furnished
 nos.* _____ as amended (together with any statement) under Article 19 26.10.2005 with letter
 nos.* 1–17 received by this Authority on of 26.10.2005
 nos.* _____ received by this Authority on _____
 the drawings:
 sheets 1/4–4/4 as originally filed/furnished
 sheets* _____ received by this Authority on _____
 sheets* _____ received by this Authority on _____
 a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____
 the claims, nos. _____
 the drawings, sheets/figs _____
 the sequence listing (*specify*): _____
 any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-17</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>2, 4, 6-17</u>	YES
	Claims	<u>1, 3, 5</u>	NO
Industrial applicability (IA)	Claims	<u>1-17</u>	YES
	Claims	_____	NO

2. Citations and explanations (Rule 70.7)

This report makes reference to the following document:

D1: CH 636 542 A5 (STATNIK, MAX, ET CO. SA)
15 June 1983

1. Claims 1 to 10

1.1 D1 is regarded as the prior art closest to the subject matter of claim 1. It discloses (the reference signs in parentheses refer to said document):

a method for producing a thin-walled component (see abstract and figure 2), wherein a strip of material is clamped between a clamping plate having a depression and a guide plate for guiding a drawing punch, and using the drawing punch, a contour for the component is drawn into the depression in the clamping plate (see page 2, right-hand column, lines 12-21 and figure 1a, the clamping plate and guide plate are implicitly disclosed), after which an inner

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contour (figure 2 1k and page 2, right-hand column, lines 33-35) is cut out and then a wall area of the component is stretched to size between the inner contour and the remaining strip of material (figure 4 and page 2, right-hand column, lines 39-41).

Therefore, the subject matter of claim 1 differs from the known method in that after the wall is stretched to size, an outer contour of the component is cut from the strip of material and the component is produced.

Therefore, the subject matter of claim 1 is novel (PCT Article 33(2)).

The problem to be solved by the present invention can be regarded as that of separating the component and the strip of material.

The solution to this problem as proposed in claim 1 of the present application cannot be regarded as inventive for the following reasons (PCT Article 33(3)):

It is clear to a person skilled in the art that the component and the strip of material have to be separated. D1 does not mention specifically when this separation takes place. To a person skilled in the art,

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however, this is merely one of several obvious possibilities from which a person skilled in the art would choose according to the circumstances in order to solve the problem of interest, without thereby being inventive.

- 1.2 The subject matter of claim 3 is not inventive. D1 shows that the drawing punch causes the thickness of the component wall to be reduced in relation to the thickness of the strip of material (see figure 1i and page 2, right-hand column, line 32).
 - 1.3 The subject matter of claim 5 lacks an inventive step. D1 shows that when the component is stretched to size, its wall thickness is reduced in relation to the thickness of the strip of material (page 2, right-hand column, lines 53-55).
 - 1.4 Claims 2, 4 and 6-10 appear to meet the PCT requirements for novelty and inventive step.
2. Claims 11-17

PCT Article 6

Claims 12-17 lack clarity. They refer to the method claims 11-16, which are device claims. Claims 13-17 are interpreted as dependent claims, i.e. devices according to claim 11.

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Furthermore, claims 15-17 do not contain any device features, but rather only product features.

2.1 D1 is regarded as the prior art closest to the subject matter of claim 11. It discloses (the reference signs in parentheses refer to said document):
a device for carrying out the method according to claim 1, wherein a cutting punch extends through an additional guide plate in order to cut out the inner contour.

Therefore, the subject matter of claim 11 differs from the known method in that an inclined pressure wall of the cutting punch rests on the wall area of the component such that the component is held between the pressure wall and a support surface of a clamping plate, the support surface at least partially encompassing an opening into which the cutting punch travels.

Therefore, the subject matter of claim 11 is novel (PCT Article 33(2)).

The problem to be solved by the present invention can be regarded as that of providing a device by means of which thin-walled components can be produced with great precision.

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The solution to this problem as proposed in claim 11 of the present application involves an inventive step (PCT Article 33(3)) because the combination of features contained in independent claim 9 is neither known from nor rendered obvious by the available prior art.

2.2 Claims 12-17 are interpreted as being dependent on claim 11 and therefore they likewise meet the PCT requirements for novelty and inventive step.